



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, April 11, 2019

6:00 PM

Council Chambers

Mayor Tim Kabat Presiding

Mayor Kabat called the meeting to order at 6:00 p.m.

Roll Call

Present: 13 - Tim Kabat, Andrea Richmond, Scott Neumeister, Barb Janssen, David D. Marshall, Jacqueline Marcou, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians
Excused: 1 - Justice Weaver

Pledge of Allegiance

Invocation

Pastor Chris Crye of Neighborhood City Church offered an invocation.

Approval of Minutes

A motion was made by Richmond, seconded by Medinger, to APPROVE the minutes of March 14, 2019. The motion carried by unanimous voice vote.

Reports

[19-0515](#)

Report of the Fire Department - Division of Fire Prevention and Building Safety on Inspections & Permit Revenue for the Month of March 2019.

2019-04-002

A motion was made by Richmond, seconded by Janssen, that the Report be RECEIVED AND FILED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

[19-0522](#)

Report of the Director of Finance and Human Resources for the month of December 2018.

2019-04-003

A motion was made by Medinger, seconded by Padesky, that the Report be RECEIVED AND FILED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

Notices and Discussions

Council Member Padesky recognized City staff that go above and beyond and work outside of business hours.

Council Member Richmond thanked Airport Director Clint Torp for his service as he prepares to leave employment with the City. Mayor Kabat also thanked Clint and noted a remarkable job leading the airport through a lot of changes.

Council Member Marshall expressed gratitude for a lot of people: Constituents; it was privilege and honor to serve the people. Members of Council; especially Council President for his leadership. Mayor Kabat; for his leadership, skill sets and interpersonal successes. City staff; phenomenal employees.

Mayor Kabat provided a reminder of the adjourned & organizational Council meeting on Tuesday, April 16 with a celebration immediately following at the La Crosse Center.

COMMON COUNCIL MATTERS

[19-0541](#)

Resolution approving 2018 and 2019 bills paid in April 2019.

2019-04-004

A motion was made by Richmond, seconded by Christians, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

APPOINTMENTS BY THE MAYOR

[19-0505](#)

Aviation Board: Brian Rotty. Board of Park Commissioners: Jim Webb, Robert Young. City Plan Commission: Elaine Yager. EMS Contract Negotiating Committee: Richard Swantz. Ethics Board: Garrett Zimmerman. Heritage Preservation Committee: John Satory, Laura Godden. Human Rights Commission: Chauncy Turner. International Committee: MacKenzie Brady. Joint Board of Harbor Commissioners: Curt Wall, Adam Binsfeld. La Crosse Center Board: Douglas Farmer. Library Board: Jeff Bagneski. Municipal Transit Utility Board: Cathy Van Maren. Police and Fire Commission: Bruce Jentz. Weed Commissioner: Jon Molledahl, Holly Thielen, Matt Diehl, Kelsey Hanson, David Reinhart, Jason Riley, Brent Thielen, Peter Van Havermaet, Eddie Young.

2019-04-005

A motion was made by Padesky, seconded by Medinger, that the Appointments be CONFIRMED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

SUSPENSION OF COUNCIL RULE VIII FOR THE FOLLOWING ITEMS: (2/3 Vote Required)

A motion was made by Gaul, seconded by Richmond, to SUSPEND Council Rule VIII for Files 19-0420 and 19-0477. The motion carried unanimously.

REPORT OF BIDS RECOMMENDED TO BE ADOPTED

[19-0354](#)

Report of Bids & Resolution awarding contract to Pember Companies, Inc. in the amount of \$628,906.75 for 2019 Curb & Gutter with Utilities (Gillette St from George St to Prospect Onalaska Ave).

2019-04-006

A motion was made by Ostrem, seconded by Christians, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

[19-0356](#)

Report of Bids & Resolution awarding contract to Mathy Construction Company in the amount of \$1,010,095.17 for the 2019 Contract Pave-Losey Boulevard (Lincoln Ave to State Road) project.

2019-04-007

A motion was made by Padesky, seconded by Medinger, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

[19-0357](#)

Report of Bids & Resolution awarding contract to MV Development dba E. Stanek Electric in the amount of \$342,649.00 for 2019 Pedestrian Lighting.

2019-04-008

A motion was made by Ostrem, seconded by Neumeister, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

[19-0359](#)

Report of Bids & Resolution awarding contract to Brickl Bros.. Inc. in the amount of \$2,249,000.00 for Airport Car Wash Facility.

2019-04-009

A motion was made by Richmond, seconded by Olson, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

[19-0360](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$144,936.00 for Riverside Park Hoeschler Fountain Replacement.

2019-04-010

A motion was made by Neumeister, seconded by Ostrem, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

REPORT OF BIDS RECOMMENDED TO BE HELD

[19-0358](#)

Report of Bids & Resolution awarding contract to Pember Companies, Inc. in the amount of \$379,468.00 for Badger/Hickey Park project.

A motion was made by Richmond, seconded by Medinger, that the Report of Bids be REFERRED (hold per City Engineering) for 30 days. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

ITEMS RECOMMENDED TO BE ADOPTED

[19-0432](#)

Resolution approving Analysis of Impediments to Fair Housing Choice (AI) Plan and authorization of phased implementation.

2019-04-011

A motion was made by Richmond, seconded by Ostrem, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

No: 1 - Olson

Excused: 1 - Weaver

[19-0469](#)

AN ORDINANCE to amend Section 2-58 of the Code of Ordinances of the City of La Crosse regarding salary for the office of Mayor.

A motion was made by Marcou, seconded by Padesky, to AMEND increasing salary to \$89,000 annually. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

No: 1 - Janssen

Excused: 1 - Weaver

Ord. 5085. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

A motion was made by Gaul, seconded by Medinger, that the Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

No: 1 - Janssen

Excused: 1 - Weaver

[19-0470](#)

AN ORDINANCE to amend Section 2-33 of the Code of Ordinances of the City of La Crosse regarding Council Member Salary and Fringe Benefits.

A motion was made by Marcou, seconded by Medinger, to AMEND increasing the Council Member salary to \$700 per month and Council President salary to \$900 per month effective spring election 2021. The motion carried by the following vote:

Yes: 9 - Janssen, Marshall, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

No: 3 - Richmond, Neumeister, Padesky

Excused: 1 - Weaver

Ord. 5086. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

A motion was made by Gaul, seconded by Medinger, that the Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: 9 - Janssen, Marshall, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

No: 3 - Richmond, Neumeister, Padesky

Excused: 1 - Weaver

ITEM RECOMMENDED TO BE NOT ADOPTED

[19-0399](#)

AN ORDINANCE to create Section 4-20 of the Code of Ordinances of the City of La Crosse prohibiting drive-up alcohol sales.

A motion was made by Padesky, seconded by Janssen, to OPEN public hearing. The motion carried by the following vote:

Yes: 8 - Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Christians

No: 4 - Richmond, Medinger, Gaul, Happel

Excused: 1 - Weaver

The following person spoke in FAVOR: Lynn Paddy, store manager of Wal-Mart.

A motion was made by Richmond, seconded by Olson, to CLOSE public hearing. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

Non-Voting: 1 - Marshall

A motion was made by Gaul, seconded by Padesky, that the Ordinance be NOT ADOPTED. The motion carried by the following vote:

Yes: 7 - Richmond, Janssen, Marcou, Padesky, Medinger, Gaul, Christians

No: 4 - Marshall, Olson, Ostrem, Happel

Excused: 1 - Weaver

Abstain: 1 - Neumeister

A motion was made by Richmond, seconded by Olson, to RECONSIDER. The motion carried by the following vote:

Yes: 9 - Richmond, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Happel, Christians

No: 2 - Medinger, Gaul

Excused: 1 - Weaver

Abstain: 1 - Neumeister

2019-04-012

A motion was made by Marshall, seconded by Christians, that the Ordinance be NOT ADOPTED. The motion carried by the following vote:

Yes: 6 - Janssen, Marcou, Padesky, Medinger, Gaul, Christians

No: 5 - Richmond, Marshall, Olson, Ostrem, Happel

Excused: 1 - Weaver

Abstain: 1 - Neumeister

ITEMS REMOVED FROM CONSENT - RECOMMENDED TO BE ADOPTED

[19-0420](#)

Resolution confirming appointment of Jay Odegaard as Director of Parks, Recreation, Forestry, Facilities and Grounds.

2019-04-013

A motion was made by Olson, seconded by Medinger, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

[19-0429](#)

Amended Resolution approving Conceptual Design of the La Crosse Center Expansion and Renovation and authorization to effectuate development.
(Note: The Committee and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel. Following such closed session, the Committees and/or Council may reconvene in open session.)

2019-04-014

A motion was made by Gaul, seconded by Medinger, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

[17-1056](#)

Amended Resolution approving Application of Western Technical College for a Conditional Use Permit allowing for demolition of structures to create green space at 314 and 320-322 8th St. N.

(Note: The Committee and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel with respect to possible litigation. Following such closed session, the Committees and/or Council may reconvene in open session.)

A motion was made by Richmond, seconded by Janssen, that the Resolution be AMENDED at Paragraph 19(i) to insert "6th anniversary date of the agreement". The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

2019-04-015

A motion was made by Medinger, seconded by Ostrem, that the Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Marshall, Marcou, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Weaver

Absent: 1 - Olson

[19-0477](#)

Amended Resolution approving an increase in Council Member expense accounts.

2019-04-016

A motion was made by Marcou, seconded by Medinger, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 10 - Janssen, Marshall, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

No: 2 - Richmond, Neumeister

Excused: 1 - Weaver

CONSENT AGENDA

A motion was made by Olson, seconded by Padesky, to ADOPT the Consent Agenda. The motion carried unanimously on voice vote.

ITEMS RECOMMENDED TO BE ADOPTED

- [19-0292](#) AN ORDINANCE to amend Section 34-51 of the Code of Ordinances of the City of La Crosse regarding removal of violators from public parks, playgrounds, boulevards, pleasure drives and swimming areas.
Ord. 5087. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [19-0401](#) AN ORDINANCE to create Section 32-6 of the Code of Ordinances of the City of La Crosse regarding party to offenses.
Ord. 5088. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [19-0306](#) Resolution approving Application of A&S Foster LLC dba Bottoms Up for an Expansion of Alcohol Beverage License & Street Privilege Permit for special event at 500 Copeland Avenue on June 1, 2019.
2019-04-017
- [19-0312](#) Resolution authorizing 2019 Action Plan and funding allocation in connection with CDBG and HOME programs.
2019-04-018
- [19-0336](#) Resolution accepting donation from the La Crosse Community Foundation for the replacement of the Fire Safety House.
2019-04-019
- [19-0339](#) Resolution approving revised boundaries for the Downtown Parking Assessment District.
2019-04-020
- [19-0340](#) Resolution authorizing the Mayor and City Clerk to sign State/Municipal Agreement for the Reconstruction of Gillette Street from Caledonia Street to George Street (Project I.D. #5991-07-42/43).
2019-04-021
- [19-0341](#) Resolution authorizing the Mayor and City Clerk to sign State/Municipal Agreement for the Reconstruction of Green Bay Street from East Avenue to 22nd Street South (Project I.D. #5991-07-36/37).
2019-04-022

- [19-0348](#) Resolution approving Application of Las Margaritas Restaurant LLC for a Conditional Use Permit allowing permission to apply for a Combination "Class B" Beer & Liquor License at 115 5th Ave. S.
2019-04-023
- [19-0362](#) Resolution approving reorganization to the table of positions and classifications for the La Crosse Center creating a position of Sales & Event Coordinator.
2019-04-024
- [19-0369](#) Resolution designating the La Crosse County Convention Bureau, Inc. as the concessionaire for the La Crosse Center along with authorization for "Class B" Intoxicating Liquor Permit (2019-2020).
2019-04-025
- [19-0380](#) Resolution creating a Complete Count Committee to promote the 2020 Census.
2019-04-026
- [19-0397](#) Resolution approving 2018 annual stormwater permit report.
2019-04-027
- [19-0411](#) Resolution adjusting wage rates for part time, seasonal and casual city employees effective April 19, 2019.
2019-04-028
- [19-0419](#) Resolution providing Veterans and their families free admission into Veterans Memorial Pool.
2019-04-029
- [19-0433](#) Resolution approving an amendment to the project plan and boundaries of Tax Incremental District No. 6, City of La Crosse, Wisconsin.
2019-04-030
- [19-0438](#) Resolution approving various license applications pursuant to Chapters 4, 6 and/or 10 of the La Crosse Municipal Code for remainder of license period 2018-19 (April).
2019-04-031

[19-0439](#) Resolution authorizing reaffirmation of loan subordination agreement between Northside Development of La Crosse, LLC, Northside Offices, LLC and Northside Buchner, LLC.

2019-04-032

[19-0443](#) Amended Resolution Approving Performance Contract with Johnson Controls, Inc.

2019-04-033

[19-0446](#) Resolution authorizing the City of La Crosse's participation in the La Crosse Area Planning Committee.

2019-04-034

[19-0453](#) Amended Resolution approving the carryover of unexpended appropriations from the 2018 Operating Budget to the 2019 Operating Budget in conjunction with final adjustments to the 2018 operating budgets.

2019-04-035

[19-0454](#) Amended Resolution approving a reclassification of the Director of the La Crosse Regional Airport position.

2019-04-036

[19-0466](#) Resolution approving a twelve (12) month agreement with Aramark for rug/uniform/linen/rag cleaning services.

2019-04-037

[19-0467](#) Resolution approving 2019 Joint Powers Agreement - County 9-1-1 Emergency System between the City and County of La Crosse.

2019-04-038

ITEM RECOMMENDED TO BE RE-REFERRED

[19-0447](#) AN ORDINANCE to amend Section 42-47 of the Code of Ordinances of the City of La Crosse regarding room tax.

Referred to June 2019 meetings

Adjournment

A motion was made by Gaul, seconded by Marcou, to ADJOURN to April 16, 2019 at 4:00 p.m. The motion carried by unanimous voice vote.